



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	<b><u>ORDER</u></b>
	:	13 Cr. 360 (AJN)
GARY THOMAS,	:	
	:	
Defendant.	:	
-----	x	

Upon the request of defendant Gary Thomas, by his counsel Hannah McCrea, and with good cause shown, it is hereby

**ORDERED** that the United States Department of Probation amend the defendant's Presentence Report in the above-captioned case to reflect the fact that the Court sustained the defendant's objection to the two-level sentencing enhancement for a credible threat to use violence under U.S.S.G. § 2D1.1(b)(2). Accordingly, the Department of Probation is directed to remove that sentencing enhancement from the defendant's Presentence Report. The Department of Probation is further directed to provide a copy of the revised Presentence Report to defense counsel and the Federal Bureau of Prisons no later than March 1, 2023.

Dates: New York, New York  
February 6 2023

The Clerk of Court is respectfully directed to terminate Dkt. No. 416.

**SO ORDERED:**

**HONORABLE ALISON J. NATHAN**  
United States ~~District Judge~~ Circuit Judge,  
sitting by designation